



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION OF DR. WOLFGANG THIEL

RECEIVED  
MAR 14 2002  
TC 2800 MAIL ROOM

APPLICANTS: Hetzer et al.

SERIAL NO.: 09/911,811 GROUP ART UNIT: 2853

FILED: July 24, 2001

TITLE: "ARRANGEMENT AND METHOD FOR DATA FOLLOW-UP FOR WARMUP CYCLES OF INK JET PRINT HEAD"

Assistant Commissioner for Patents,

Washington, D.C.

SIR:

I, WOLFGANG THIEL, declare and state as follows:

1. I am in charge of patent prosecution matters worldwide for Francotyp-Postalia AG & Co. KG.
2. The invention disclosed and claimed in the above-referenced application was invented by employees of Francotyp-Postalia AG & Co. KG and its United States subsidiary.
3. All of the named inventors except Mr. George Gelfer have signed the Declaration and Power of Attorney for the above-referenced application.
4. I, or those under my supervision, have made numerous attempts to contact Mr. Gelfer and to request that he sign the Declaration, however, these attempts have been unsuccessful in obtaining Mr. Gelfer's signature. These efforts include a letter dated October 8, 2001 (Attachment "A"), a letter dated November 14, 2001 (Attachment "B"), an e-mail dated November 7, 2001 (Attachment "C"), an e-mail dated November 13, 2001 (Attachment "D"), a reminder dated November 30, 2001 (Attachment "E"), a letter dated December 14, 2001 (Attachment "F"), and a letter dated

February 1, 2002 (Attachment "G"). The letters and e-mails have been sent to Mr. Gelfer's last known home address and e-mail address, respectively.

5. No response whatsoever has been received from Mr. Gelfer with regard to any of these items. The last letter dated February 1, 2002 (Attachment "G") included a statement that if the signed documents were not returned to Francotyp-Postalia AG & Co. KG by February 18, 2002, this would be interpreted as a refusal on the part of Mr. Gelfer to sign the documents.

6. In view of the complete absence of any response from Mr. Gelfer, I have concluded on behalf on Francotyp-Postalia AG & CO. KG that Mr. Gelfer is refusing to sign the Declaration and Power of Attorney for the above-referenced application.

7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this verified statement is directed.

DATED: 25. FEB. 2002

  
WOLFGANG THIEL